SECTION 1: APPLICANT INFORMATION

Type of Submission: Initial Plan

Name of Municipality: City of Logan

Certifying Official: Serafino J. Nolletti Title: Mayor

Contact Person: Amber Miller Title: City Clerk

Address: 219 Dingess Street Logan, WV 25601

Telephone Number: 304-752-4044

Fax Number: 304-752-9316

Municipal Classification: Class III
Class II Legal advertisement of Public Hearing
Dates: **October 2nd, 9th and 16th** – in the Logan Banner, Section 3.

Notice of Public Hearing to Municipal Home Rule Board (MHRB) and Cabinet Secretary of every State Department. **Mailed September 26th, 2019. Please see attachment of copies of all letters. Section 3.**

Plan available for public inspection 30 days prior to public hearing. **Done.**

Hearing: November 12th, 2019 - **Minutes attached, Sign In Sheet attached.**
**No public comments made. Professional transcriptionist provided minutes. Section 3.**

Ordinance authorizing plan or amendment.
**First Reading: October 3rd, 2019**  **Second Reading: November 12th, 2019**
**Date of Adoption: November 12th, 2019, Section 2.**

Required narrative presentation: **See attached, section 2.**

**ATTACHMENTS – ALL INCLUDED IN SECTION 3**

- Affidavit of legal notice of Public Hearing
- Minutes of Public Hearing
- Certified copy of ordinance authorizing plan or amendment
- Fiscal statement demonstrating municipality’s ability to manage costs of liabilities associated with proposals
- Affidavit that municipality owes no outstanding State fees
- Attorney opinion letter that application and plan or amendment complies with applicable State Law
Mayor Serafino J. Nolletti
Councilman, Howard Jemerson
Councilman, Basil Ken Lee
Councilman, Donsil Jay Mullins
Councilwoman, Donna Willis
Councilman, Josh Keno Mulkey
City Attorney, Kendal Partlow
City Clerk, Amber Miller

Fire Chief, Scott Beckett
Police Chief, PD Clemens
Street Commission, Kevin Marcum
Sanitary Board, Herbert Staten
Code Enforcement, Scott Beckett
Assistant City Clerk, Stephanie Avis
Water Board, Carol Conley
City Accountant, Jeff Vallet

219 Dingess Street Logan, WV 25601 ~ Phone: (304) 752-4044

HOME RULE PLAN SECTION 2

NARRATIVE
### Home Rule Application

1. Impose a 1% Sales Tax and Reduce or Eliminate Selected Business and Occupation Tax Categories

**Issue Category: Tax**

The City of Logan seeks to restructure its business tax structure, reducing and eliminating some classes of the Business and Occupation Tax and instituting a 1% sales tax in order to increase revenues for public safety operations. This new business tax structure will be fairer and more standardized, and similar to those in adjacent communities in neighboring states.

**Specific Legal Barrier**

9-13C-4

**Problem caused by Legal Barrier**

The City of Logan has a very small residential tax base and yet, being a town on a busy highway, provides service to a much larger population including the neighboring state of Kentucky and we also house the Fountainplace Mall that attracts residents from all different areas in Southern, WV. Presently, the City is only able to generate revenue via taxation by imposing a municipal business (B&O) tax or by imposing a sales tax; WV State Code requires that the two taxes be mutually exclusive. WV Code 8-13C-1 et seq. contemplates the imposition of a sales tax by municipalities either for pension relief or as an “alternative municipal sales tax” at a rate not to exceed one percent. However, a municipality may only impost such a sales tax if it completely eliminates it’s B&O tax. WV Code 8-13C-4(b).

**Proposed Solution**

The City of Logan proposes to impose a municipal sales tax of up to 1% on all taxable sales under the West Virginia Code within the City. At the same time, it will eliminate B&O tax on selected categories – primarily retailers and restaurants – that would be subject to the sales tax. The increase in annual revenue based on this plan would be $980,000.00. (see Section III-D: Fiscal Impact Worksheets and Formulas).
Increased revenues would go to provide key municipal services, including but not limited to:

- City of Logan Fire and Police Pension funding.
- City of Logan infrastructure development and demolition of abandoned structures deemed unsafe; and
- City of Logan matching grants program to enhance the City of Logan as a whole on various projects that require a partial match, which the City cannot afford out of current operational funds; and
- City of Logan Fairs, Festivals and Tourism events; and
- Growth and financial security for the City of Logan employees to aide in earned raises and funding of Health Insurance.

The vast majority of WV municipalities accepted into the Home Rule Program have proposed this business tax restructuring in one form or another, and it appears to be meeting with widespread acceptance and success.

### D. Fiscal Impact Worksheets and Formulas

**Issue 1: New Sales Tax and Business and Occupation Tax Restructuring**

Prepared by City Accountant Jeff Vallet using samples of our largest vendors.

Business Taxes Collected by Business, using samples of our largest vendors and our 2018 FY Estimates. Four must be eliminated by State Code.

In the proposed Home Rule Plan for the City of Logan, Business and Occupation (B&O) would be eliminated:

- **Completely eliminated in manufacturing.** We feel by eliminating the manufacturing tax, we will be in the position to attract industry to our area and create much needed opportunities for employment.
- **A reduction in Retailers and Restaurants (from .45 to .43)** creating a $15,400.00 drop in revenue based on our samples. We feel that by reducing this tax, we are giving our valued businesses room to grow, hire expand, market and allow additional revenue for them to engage employment.
- **A reduction in Wholesalers (from .14 to .07)** creating a $3,200.00 drop in revenue, based on our samples. We feel that by giving wholesalers a reduction, we are allowing a wider range of selection for our businesses to distribute more desired products – therefore, creating a larger market.
- **A reduction in Services and All Other Business (.90 to .87)** creating a $4,500.00 drop in revenue, based on our samples. This overall reduction will help so many of our independent contractors and independent business people, such as beauticians and independent contractors – which are some of our hardest working and most valued people a reduction to grow and maintain their services and be able to expand their business.

An additional 1% Sales and Use Tax would be implemented on those categories currently affected by the 6% WVa. State Sales and Use Tax. **NOTE:** Estimates below are based on samples from our largest vendors and 2018 FY Estimates.

A total of $24,000.00 drop in revenue.
An Ordinance pursuant to the provisions of the W.Va. Code 8-1-5a, authorizing the City of Logan to submit a written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the City of Logan in the Municipal Home Rule Program.

**AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL**

**WHEREAS**, in 2007, the West Virginia Legislature enacted WV Code 8-1-5a, known as the Municipal Home Rule Pilot Program; and

**WHEREAS**, in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

**WHEREAS**, the participation in the Home Rule Program by The City of Logan, a Class IV municipality, would give the City unique flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors and businesses.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF LOGAN THAT** the Mayor is hereby authorized and directed to submit a Home Rule proposal to the Municipal Home Rule Board on November 13th, 2019, in accordance with WV Code8-1-5a in order for the City of Logan to be considered for inclusion in the program as a Class IV municipality during the Fiscal Year 2019-2020.
This Ordinance shall become effective upon passage after second reading and public hearing.

Passed on first reading, October 4th, 2019.

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Passed on second reading and public hearing, November 12th, 2019.

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The undersigned Mayor of the City of Logan does hereby certify that the foregoing amendment was adopted by the majority of Council on the first reading on October 4th, 2019 and upon the second reading and public hearing on November 12th, 2019.

Serafino J. Noffetti  
Mayor of Logan

Amber Miller  
City Clerk/Preparer of Home Rule Ordinance & Application

Kendal Partlow  
City of Logan Attorney
AMENDMENT TO THE LOGAN CITY CODE SECTION 14 CONCERNING GROSS SALES VALUE OF MANUFACTURED PRODUCTS; GROSS INCOME OF WHOLESALERS; SERVICE & ALLOOTHER BUSINESS GROSS INCOME TO REFLECT PERCENTAGE CHANGES TO ALIGN WITH HOME RULE SALES TAX REDUCTION AND IMPLEMENTATION

1. Eliminating the Gross Sales Value Manufactured Products Entirely.
2. Gross Income Of Wholesalers from .14 to .07, reducing it in half.
3. Service and All Other Business from .90 to .87

This Ordinance shall become effective upon passage after second reading and public hearing.

Passed on first reading, November 4th, 2019

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The undersigned Mayor of the City of Logan does hereby certify that the foregoing amendment was adopted by the majority of Council on the first reading on November 4th, 2019 and upon the second reading and public hearing on November 12th, 2019.

Serafino J. Nolletti
Mayor of Logan

Amber Miller
City Clerk/Preparer of Home Rule Ordinance & Application

Kendal Partlow
City of Logan Attorney
AMENDMENT TO THE LOGAN CITY CODE SECTION 14 CONCERNING GROSS SALES VALUE OF MANUFACTURED PRODUCTS; GROSS INCOME OF WHOLESALERS; SERVICE & ALLOTHER BUSINESS GROSS INCOME TO REFLECT PERCENTAGE CHANGES TO ALIGN WITH HOME RULE SALES TAX REDUCTION AND IMPLEMENTATION.

THIS SECOND READING WILL REFLECT THAT THIS AMENDMENT DOES NOT GO INTO EFFECT UNTIL JULY 1, 2020.

1. Eliminating the Gross Sales Value Manufactured Products Entirely.
2. Gross Income Of Wholesalers from .14 to .07, reducing it in half.
3. Service and All Other Business from .90 to .87

This Ordinance shall become effective upon passage after second reading and public hearing and go into effect July 1, 2020.

Passed on second reading, November 12th, 2019

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The undersigned Mayor of the City of Logan does hereby certify that the foregoing amendment was adopted by the majority of Council on the first reading on November 4th, 2019 and upon the second reading and public hearing on November 12th, 2019.

Serafino J. Nolletti
Mayor of Logan

Amber Miller
City Clerk/Preparer of Home Rule Ordinance & Application

Kendal Partlow
City of Logan Attorney
1. Completed Plan & Checklist
2. Affidavit of legal advertisement providing notice of public hearing
3. Minutes of public hearing, including comments (if any).
4. Copy of adopted ordinance authorizing submission of plan to Municipal Home Rule Board.
5. Fiscal statement demonstrating municipality's ability to manage costs or liabilities associated with proposal.
6. Affidavit of authorized municipality representative that municipality owes no outstanding State fees.
7. Attorney opinion letter stating that application and plan complies with applicable State Law.
Affidavit of Legal Publication and Posting

STATE OF WEST VIRGINIA
COUNTY OF Logan, TO-WIT

Representative of The Logan Banner, a newspaper published in the county of Logan, West Virginia, hereby certify that the annexed publication was inserted in said newspaper.

The cost of publishing said annexed advertisement as aforesaid was $37.20

Commencing On: 10/02/2019

Ending On: 10/16/2019

Given under my hand this day 10/16/2019

Sworn to and subscribed before me 10/16/2019 at Logan, Logan County, West Virginia

Notary Public of, in and for Logan County, West Virginia

MY COMMISSION EXPIRES: [Signature]

Shirley Watson

Shirley Watson
Notice is hereby given that a Public Hearing will be held at the regular meeting of the City Council on November 12th, 2019 at 4pm in City of Logan on the Building on the Home Rule Ordinance authorizing the submission of the City's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the Public Hearing and be heard and the City's proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th between the hours of 1pm-3pm, Monday through Friday.
Sell Your Unwanted Items Fast!

LET THE CLASSIFIEDS WORK FOR YOU

To advertise your classified in The Herald-D Dispatch 304-526-4002
To advertise your classified in The Wayne County News 304-526-4002
Affidavit of Legal Publication and Posting

STATE OF WEST VIRGINIA
COUNTY OF Logan, TO-WIT

Shirley Watson, Classified Advertising
Representative of The Logan Banner, a newspaper published in the county of Logan, West Virginia, hereby certify that the annexed publication was inserted in said newspaper.

The cost of publishing said annexed advertisement as aforesaid was $37.20

Commencing On: 10/02/2019
Ending On: 10/16/2019

Given under my hand this day 10/16/2019

Sworn to and subscribed before me 10/16/2019

at Logan, Logan County, West Virginia

Notary Public of, in and for Logan County, West Virginia

MY COMMISSION EXPIRES: 2020

Shirley Watson
Notice is hereby given that a Public Hearing will be held at the regular meeting of the City Council on November 12th, 2019 at 4pm in City of Logan on the Building on the Home Rule Ordinance authorizing the submission of the City's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the Public Hearing and be heard and the City's proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th through Friday, between the hours of 1pm-3pm, Monday through Friday.

Acc.Id: 50097
Name: CITY OF LOGAN
Phone: 304-752-1272
Address: PO BOX 807
City: LOGAN
State: WV
Postcode: 25601
Class: 9010
Edition: LOG LOG LOG
Start: 10/02/2019
Stop: 10/16/2019
Issues: 3
Units: 31.00
Order ID: HC 79975
TFN: C
TFN cycle: SAWATSON
Status: OK
Source: EM
Paytype: BI
Rate: LG
Cost EXC: 37.20
GST: 0.00
Tax: 0.00
Total Charge: 37.20
Printed on: 10/09/2019 14:25:17
Printed by: SAWATSON
Sell Your Unwanted Items Fast!

LET THE CLASSIFIEDS WORK FOR YOU

To advertise your classified in The Herald-D Dispatch
304-526-4002

To advertise your classified on the Wayne County News
304-526-4002
NOTICE OF PUBLIC HEARING

September 26th, 2019

Department of Revenue
Chairman of the Home Rule Board
Dave Hardy, Secretary
West Virginia Municipal Home Rule Board
1900 Kanawha Blvd East
Building 1, W-300
Charleston, WV 25305

Dear Secretary Hardy,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Transportation
West Virginia Department of Transportation

Byrd E. White, III, Secretary
1900 Kanawha Blvd East
Building 5
Charleston, WV 25305

Dear Secretary White,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City's proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Dear Secretary McVey,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City's proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is: LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
Dear Secretary Gaunch,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Veterans Assistance
West Virginia Department of Veterans Assistance

Dennis Davis, Secretary
1900 Kanawha Blvd East
Building 5, Room 205
Charleston, WV 25305

Dear Secretary Davis,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Health and Human Resources
West Virginia Department of Health and Human Resources

Bill J. Crouch, Secretary
One Davis Square, Suite 100 East
Charleston, WV 25301

Dear Secretary Crouch,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Military Affairs and Public Safety
West Virginia Department of Military Affairs and Public Safety

Jeff Sandy, Secretary
1900 Kanawha Blvd East
Building 1, W-400
Charleston, WV 25305

Dear Secretary Sandy,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City's proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Environmental Protection
West Virginia Department of Environmental Protection
Austin Caperton
601 57th Street SE
Charleston, WV 25304

Dear Secretary Caperton,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
HOME RULE PUBLIC HEARING SIGN IN SHEET

11-12-19

1. Ken Lee
2. Benjamin Willett
3. Ken Moore
4. Amber Miller
5. Donna Willis
6. Patsy Smith
7. Jeff Galloway
8. Drew Butcher
9. 
10. Howard Segreman
11. [Name illegible]
12. Kara Juste
13. Dylan Vickers
14. [Name illegible]
15. Stephanie XX
16. 
17. 
18. 
19. 
20. 

[Signature spaces left blank]
From: LARRY COFFINDAFFER
LOGAN COUNTY COURTHOUSE
Room 304
LOGAN, WV 25601
(304) 792-8573
Fax: (304) 792-9402

To: Amber
Date: 11/13/19

Fax #: 304 752 - 9314

From: LARRY COFFINDAFFER
Subject: Meeting 11/12/19 - Home Rule

COMMENTS:

[Signature]
STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, LARRY K. COFFINDAFFER, REPORTER, do hereby certify that the foregoing is a true and correct record of the proceedings held at the time and place set forth and for the purpose specified in the action herein captioned as prepared by me to the best of my skills and ability.

Given under my hand this 13th day of
November, 2019.

[Signature]

LARRY K. COFFINDAFFER
Reporter
IN THE MATTER OF:

SPECIAL PUBLIC MEETING FOR THE CITY OF LOGAN,
WEST VIRGINIA REGARDING HOME RULE ORDINANCE
PROPOSAL.

THIS MATTER came on for public hearing on this
the 12th day of NOVEMBER, 2019 at about the hour of
4:00 p.m., in council chambers, before City Council,
City of Logan, West Virginia.

APPEARANCES:

SERAFINO J. NOLLETTI, Mayor
HOWARD JEMERSION, Councilman
BASIL KEN LEE, Councilman
DONSIL JAY MULLINS, Councilman
DONNA WILLIS, Councilwoman

KENDAL PARTLOW, City Attorney
AMBER MILLER-VIARS, City Clerk
STEPHANIE AVIS, Assistant City Clerk
JEFF VALLET, City Accountant
(APPEARANCES CONT'D)

P.D. CLEMENS, Police Chief

KEVIN MARCUM, Street Commissioner

ANNA BUTCHER, Committee Person.

0-0
PROCEEDINGS

(IN OPEN SESSION)

4:00 P.M.

AND THEREUPON

MAYOR NOLLETTI: It is 4:02 and I hereby call the hearing to order. Anyone present wanting to speak?

VOICE FROM THE REAR: I live here and I am for it.

MAYOR NOLLETTI: Let's wait a little while and see if anyone shows up.

(Brief Recess at 4:04 p.m.)

(Reconvened at 4:11 p.m.)

MAYOR NOLLETTI: It is 4:11 and I guess we can close the public hearing.

COUNCILWOMAN WILLIS: I make a Motion.

COUNCILMAN LEE: I second.

MAYOR NOLLETTI: All in favor?

(Vote Unanimous)

MAYOR NOLLETTI: The Public Hearing is now closed.

Larry K. Coffindaffer
CERTIFIED REPORTER
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA
LOGAN, WEST VIRGINIA 25601
PHONE: 304-792-8573
CHARLESTON: 304-792-2630
Now let's go down to the opening of the Regular Meeting. We are going to switch around a little bit and go down to Item 3, Second and Final Reading to Amend the Current B&O Rates to Reflect Those of Home Rule.

MS. MILLER-VIARS: I’m going to go really slow and not be distracted or let anything get me off path.

The Second and Final Reading to Amend the Current B&O Rates to Reflect Those of Home Rule. These will be on a separate sheet for this reason.

The Second Reading will reflect the limit does not go into effect until July 1, 2020. Everything is the same, we are eliminating the Gross Sales Value Manufactured Products Entirely.

We are eliminating tax on Manufacturing, hoping and praying we can bringing in some of those type of places to the City of Logan.

The Gross Income of Wholesalers goes from .14 to .07, reducing it in half.

Services and All other Business goes from .90 to .87.

The Ordinance shall become effective upon passage after the Second Reading and Public Hearing, which we
are doing today. That will go into effect July 1, 2020.

Now if we go to our hearing on the 10th and they accept us to start January 1st then we will Amend this and do a First and Second Reading on the line of our Sales Tax Ordinance. We can tackle that before the 1st of the year.

MAYOR NOLLETTI: Any questions?

(NO AFFIRMATIVE RESPONSE)

MAYOR NOLLETTI: We need a Motion.
COUNCILMAN LEE: I make a Motion.
COUNCILWOMAN WILLIS: I second.
MAYOR NOLLETTI: All right then.

Are we ready to move down to Item 4, Second and Final Reading of the West Virginia State Tax Municipal Use & Sales Tax Ordinance for Cities with Authority under West Virginia Code 8-1-5?

MS. MILLER-VIARS: Okay. This is on the Second and Final Reading for this Ordinance. We are going to move this. This was supposed to be the second meeting but this goes into effect after November 20th.

This Ordinance is after we become an Authorized Home Rule Municipality. After they complained in the
public hearing part, this is the second. There are
two phases. Once we go through what we are going
through now we get this phase next. I just about had
a small heart attack with Anna when I saw the Home
Rule Checklist. I was like, Checklist? How is a
Checklist so I got on the phone with the League and
got everything in order and we were right, didn’t do
anything wrong.

This does not have to be completed until after we
submit to the Home Rule Board.

I have the Legal ready for the newspaper and we
will be 30 days until the second reading of Taxes on
December 19th. The first reading of this Ordinance in
its completed form. I can’t say enough about Anna.

There is a part of this where you have to be very
organized and make sure you are on task with the
postmaster everyday and that count of thing, to be
able to get your ducks in a row.

She has really handled that part. She said that
her fingers were hurting from entering so many postal
codes. Our Ordinance is complete because we have the
Home Rule Base, all of our information is together and
our Ordinance is in its completed form.

What we have to do before you have your First
official reading, the part we kind of missed was, you
have to submit the Ordinance to the Tax Department for
approval and changes. So it sort of worked out. We h
had to have that completed before the First reading
because we are doing it the way we are doing it. And,
because we don’t do that until after the Home Rule
Municipality says we are okay. It is like two phases.
I know that this is hard to grasp if you don’t
live it everyday but it is in two phases. The First
part we are Golden. Now we have to maneuver the
Second phase which is the Tax part. We have our hands
around it. Bless Anna’s heart. The things that I
have said, the worry I have gone through. But this is
big. I was afraid if we did something it would mess
it up but thank God it didn’t. It is a blessing in
disguise.

The Second and Final Reading of the West Virginia
State Tax Municipal Use and Sales Tax Ordinance for
Cities will be moved to December 10th.
The First reading will be December 10th at our
Regular Meeting.
The Second reading will be at a Special Meeting
on December 19th.

MR. PARTLOW: We have the 30-days time
between where we are now and then. The Second and Final Reading is moved and there will be no votes on that.

MS. MILLER-VIARS: No vote is needed.

MAYOR NOLLETTI: Let's go to Item 5. The Final Review of Home Rule Application Checklist. Do this one more time.

MS. MILLER-VIARS: This is sort of like I told you. It is good to have two sets of eyes and ears on that stuff.

The last two Legal Advertising of a Public Hearing. Here is the document all signed off on by the Banner. The costs, dates that it ran. I hi-lited where it was placed in the Banner and all Certified. So we are good to go on that.

The Public Hearing was ran in its entirety authorizing not only -- not only a Notice of Public Hearing but also it gave information about Authorizing an Ordinance for the City of Logan to submit an Application to the Municipal Home Rule Board. So there is that.

The second is all Department Secretary's had to receive a letter stating that we were having a Public Hearing today with a Copy of the Ordinance made

Larry K. Coffindaffer
CERTIFIED REPORTER
SEVENTH JUDICIAL CIRCUIT OF WEST VIRGINIA
LOGAN, WEST VIRGINIA 25601
PHONE: 304-792-8673
CHARLESTON: 304-792-8673
available to them and to the public for public inspection.

Secretary Caperton, Secretary Crouch, Secretary Davis, Secretary Gaunch, Secretary Hardy, Secretary McVey and Secretary Sandy were all sent notices prior to September 26, 2019 stating that we had a public hearing tonight. I had a phone call from three that needed a copy of the Ordinance to review. Those were submitted electronically via email to them.

That is what these people are. They are Cabinet Secretary's in the State Department for the State of West Virginia. That was done. This is part of the Checklist, the Plan had to be available for public inspection 30 days prior to the public hearing.

The copies were available in our office for public inspection and was included in the public hearing. The minutes of the hearing will be taken care of tonight after the hearing and that is the reason Larry Coffindaffer is here, to make sure the meeting is recorded in its entirety and transcribed by a professional court reporter.

The next is our Plan or Amendment which is next on the Application and you have a copy of that, the First reading was October 3rd at the Board Meeting at
the Lodge. We have copies of that. The Second reading of course is tonight.

The next is required Minutes of the separate proposal. What that is is when you — tomorrow after all of this is completed and done I have to submit an electronic copy of everything in front of me here to the Home Rule Board prior to our hearing.

So tomorrow after we finish I will put in one document and you will have to have the Home Rule Plan and Amendment template attached to each one of those. That is what that is.

I want to brag on everyone, it is not just me. I'm the crazy one. We had to make sure it was in one place and we have Affidavit, Legal Notice, Public Hearings. Like I said the Minutes of the Public Hearing and any Comments, Certified Copy of the Ordinance Authorizing the tenure of Amendments you are getting ready to pass if you think that should happen.

If you remember in the Workshop we did with this they went through and we together decided the reduction of B&O where we would make cuts because those of you who do not know, legally by State Code there has to be some elimination or reduction in the current B&O in order to implement a 1 percent Sale Tax
and that is actually friendly to retailers. Retailers don’t have any tax that is a benefit to them. Other people come into the municipalities and give them money and things like that and we are getting the benefits from it being spent inside our zip code. This statement demonstrated to the municipalities ability and Jeff did all that, and did it all in a hurry. He has pulled some numbers together and has provided an Affidavit.

The Municipality does not owe any outstanding State Fees, he took care of that. I can show these guys that. That was Jeff and not me. He took care of that, him and Debbie. It is all Notarized, a Statement In Good Standing with the West Virginia State Tax Department, and we do not owe anything outstanding.

Then we had to have an Attorney Opinion Letter with the Application and Plan in compliance with applicable State Law. Kent Osborne filed a Draft of that and that will be submitted after our meeting tonight. Everything was done by the book and that has been completed.

Last but not least is after this is all finished and we go before the Home Rule Board, we have to send
in 8 originals and 1 electronic copy. That has to be submitted tomorrow to the Municipal Home Rule Board and that is it. We have done that part.

So all of those things had to be done by the book, by State Code. We had to have every “t” crossed and every “i” dotted and I feel like we are very lucky because I feel like I have a Council that is on board and supports anything that we do. I think that you all saw at the Workshop how important it was to do this. You never closed down but kind of said, let’s go forward. Anna helped, and all the others have helped and we have been able to do it. It was a true labor of love. I thank you all for that. So everything is done, you guys, and let’s hope on the 20th we can get what we deserve. We deserve it.

MAYOR NOLLETTI: Now we are on No. 6, Second and Final Reading of an Ordinance pursuant to the provisions of the West Virginia Code 8-1-5, authorizing the City of Logan to submit a Written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the City of Logan in the Municipal Home Rule Program.

MS. MILLER-VIARS: It has been read in its entirety at its First reading and there have been no
changes. So now it is up to you guys to do your part.

(MOTION made and seconded and carried
unanimously.)

MS. MILLER-VIARS: We have everything
together and everything is signed. The last thing we
have to prepare are the minutes and put them in
electronically tomorrow. So we did it.

(WHEREUPON, there being nothing further to be
done in the matter at this time, the hearing was
concluded.)

The End
The City of Logan will hold an official public hearing City Council Chambers in said City on the 12th of November, 2019 beginning at 4pm.

The following item will be heard:

1. Public Hearing of the City of Logan Home Rule Ordinance authorizing the submission of the City of Logan’s Application of their Home Rule Plan to the West Virginia Municipal Home Rule Board.

The public is invited to attend the meeting.

Sincerely,

Serafino J. Nolletti, Mayor
The City Council will meet in the City Council Chambers in said City on the 12th of November, 2019.

The following items are on the agenda:

1. Resolution regarding release of claims against the WV Department of Transportation Division of Highways regarding location of water lines.
2. Christian Heritage Week Proclamation
3. Second & Final Reading to Amend the Current B&O Rates To Reflect Those of Home Rule.
4. Second & Final Reading of the WV State Tax Municipal Use & Sales Tax Ordinance for Cities with Authority Under WV Code 8-1-5
5. Final Review of Home Rule Application Checklist
6. Second & Final Reading of an Ordinance pursuant to the provisions of the W.Va. Code 8-1-5, authorizing the City of Logan to submit a written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the City of Logan in the Municipal Home Rule Program.
7. Crowning of Miss Christmas Festival
8. Sayer Brothers Building Collapse
9. November/December Special Event dates
10. Drawdown for Police & Fire Pension
11. Update on FEMA
12. Senior Living Veteran Center
13. Safety Committee/Code Enforcement/Flood Plain
14. Logan Main Street Sidewalks 2015 Transportation Alternatives Project
15. Report of Department Heads
16. Personnel Matters
17. Acquisition of Supplies, Materials, Equipment and Services.
18. Petitions and Communications.
19. Matters Incidental or in connection with above listed items.

The public is invited to attend the meeting.

Sincerely,

Serafino J. Nolletti, Mayor
1. Impose a 1% Sales Tax and Reduce or Eliminate Selected Business and Occupation Tax Categories

Issue Category: Tax
The City of Logan seeks to restructure its business tax structure, reducing and eliminating some classes of the Business and Occupation Tax and instituting a 1% sales tax in order to increase revenues for public safety operations. This new business tax structure will be fairer and more standardized, and similar to those in adjacent communities in neighboring states.

Specific Legal Barrier
9-13C-4

Problem caused by Legal Barrier
The City of Logan has a very small residential tax base and yet, being a town on a busy highway, provides service to a much larger population including the neighboring state of Kentucky and we also house the Fountainplace Mall that attracts residents from all different areas in Southern, WV. Presently, the City is only able to generate revenue via taxation by imposing a municipal business (B&O) tax or by imposing a sales tax; WV State Code requires that the two taxes be mutually exclusive. WV Code 8-13C-1 et seq. contemplates the imposition of a sales tax by municipalities either for pension relief or as an “alternative municipal sales tax” at a rate not to exceed one percent. However, a municipality may only impose such a sales tax if it completely eliminates it's B&O tax. WV Code 8-13C-4(b).

Proposed Solution
The City of Logan proposes to impose a municipal sales tax of up to 1% on all taxable sales under the West Virginia Code within the City. At the same time, it will eliminate B&O tax on selected categories – primarily retailers and restaurants – that would be subject to the sales tax. The increase in annual revenue based on this plan would be $980,000.00. (see Section III-D: Fiscal Impact Worksheets and Formulas).
MAYOR SERAFINO J. NOLLETTI

HOME RULE ORDINANCE

An Ordinance pursuant to the provisions of the W.Va. Code 8-1-5a, authorizing the City of Logan to submit a written Home Rule proposal to the Municipal Home Rule Board in order to permit participation by the City of Logan in the Municipal Home Rule Program.

AUTHORIZATION TO SUBMIT A WRITTEN HOME RULE PROPOSAL

WHEREAS, in 2007, the West Virginia Legislature enacted WV Code 8-1-5a, known as the Municipal Home Rule Pilot Program; and

WHEREAS, in 2019, the Municipal Home Rule Pilot Program was made a permanent program, with provisions to add four Class IV municipalities to the program each year; and

WHEREAS, the participation in the Home Rule Program by The City of Logan, a Class IV municipality, would give the City unique flexibility to apply local solutions to local problems, benefitting the greater community, including residents, visitors and businesses.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF LOGAN THAT the Mayor is hereby authorized and directed to submit a Home Rule proposal to the Municipal Home Rule Board on November 13th, 2019, in accordance with WV Code8-1-5a in order for the City of Logan to be considered for inclusion in the program as a Class IV municipality during the Fiscal Year 2019-2020.
This Ordinance shall become effective upon passage after second reading and public hearing.

Passed on first reading, October 4th, 2019.

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Passed on second reading and public hearing, November 12th, 2019

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_The undersigned Mayor of the City of Logan does hereby certify that the foregoing amendment was adopted by the majority of Council on the first reading on October 4th, 2019 and upon the second reading and public hearing on November 12th, 2019._

Serafino J. Nolletti  
Mayor of Logan

Amber Miller  
City Clerk/Preparer of Home Rule Ordinance & Application

Kendal Partlow  
City of Logan Attorney
Increased revenues would go to provide key municipal services, including but not limited to:

- City of Logan Fire and Police Pension funding.
- City of Logan infrastructure development and demolition of abandoned structures deemed unsafe; and
- City of Logan matching grants program to enhance the City of Logan as a whole on various projects that require a partial match, which the City cannot afford out of current operational funds; and
- City of Logan Fairs, Festivals and Tourism events; and
- Growth and financial security for the City of Logan employees to aide in earned raises and funding of Health Insurance.

The vast majority of WV municipalities accepted into the Home Rule Program have proposed this business tax restructuring in one form or another, and it appears to be meeting with widespread acceptance and success.

D. Fiscal Impact Worksheets and Formulas

Issue 1: New Sales Tax and Business and Occupation Tax Restructuring

Prepared by City Accountant Jeff Vallet using samples of our largest vendors.

Business Taxes Collected by Business, using samples of our largest vendors and our 2018 FY Estimates. Four must be eliminated by State Code.

In the proposed Home Rule Plan for the City of Logan, Business and Occupation (B&O) would be eliminated:

- Completely eliminated in manufacturing. We feel by eliminating the manufacturing tax, we will be in the position to attract industry to our area and create much needed opportunities for employment.
- A reduction in Retailers and Restaurants (from .45 to .43) creating a $15,400.00, drop in revenue based on our samples. We feel that by reducing this tax, we are giving our valued businesses room to grow, hire expand, market and allow additional revenue for them to engage employment.
- A reduction in Wholesalers (from .14 to .07) creating a $3,200.00 drop in revenue, based on our samples. We feel that by giving wholesalers a reduction, we are allowing a wider range of selection for our businesses to distribute more desired products – therefore, creating a larger market.
- A reduction in Services and All Other Business (.90 to .87) creating a $4,500.00 drop in revenue, based on our samples. This overall reduction will help so many of our independent contractors and Independent business people, such as beauticians and independent contractors – which are some of our hardest working and most valued people a reduction to grow and maintain their services and be able to expand their business.

An additional 1% Sales and Use Tax would be implemented on those categories currently affected by the 6% WVa. State Sales and Use Tax. NOTE: Estimates below are based on samples from our largest vendors and 2018 FY Estimates.

A total of $24,000.00 drop in revenue.
SECOND READING OF AMENDMENT TO THE CITY OF LOGAN CITY CODE, B&O TAX RATES SECTION 14

AMENDMENT TO THE LOGAN CITY CODE SECTION 14 CONCERNING GROSS SALES VALUE OF MANUFACTURED PRODUCTS, GROSS INCOME OF WHOLESALERS, SERVICE & ALL OTHER BUSINESS GROSS INCOME TO REFLECT PERCENTAGE CHANGES TO ALIGN WITH HOME RULE SALES TAX REDUCTION AND IMPLEMENTATION.

This Second Reading will reflect that this amendment does not go into effect until July 1, 2020.

1. Eliminating the Gross Sales Value Manufactured Products Entirely.
2. Gross Income Of Wholesalers from .14 to .07, reducing it in half.
3. Service and All Other Business from .90 to .87

This Ordinance shall become effective upon passage after second reading and public hearing and go into effect July 1, 2020.

Passed on second reading, November 12th, 2019

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Serafino J. Nolletti
Mayor of Logan

Amber Miller
City Clerk/Preparer of Home Rule Ordinance & Application

Kendal Partlow
City of Logan Attorney
Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
MAYOR SERAFINO J. NOLLETTI

NOTICE OF PUBLIC HEARING

September 26th, 2019

Department of Health and Human Resources
West Virginia Department of Health and Human Resources
Bill J. Crouch, Secretary
One Davis Square, Suite 100 East
Charleston, WV 25301

Dear Secretary Crouch,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City's proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2,9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Commerce
West Virginia Department of Commerce
C. Edward Gaunch, Secretary
1900 Kanawha Blvd East
Building 3, Suite 600
Charleston, WV 25305

Dear Secretary Gaunch,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
MAYOR SERAFINO J. NOLLETTI

NOTICE OF PUBLIC HEARING

September 26th, 2019

Department of Revenue
Chairman of the Home Rule Board
Dave Hardy, Secretary
West Virginia Municipal Home Rule Board
1900 Kanawha Blvd East
Building 1, W-300
Charleston, WV 25305

Dear Secretary Hardy,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City's Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City's proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk's Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

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Mayor
President of the WV Municipal League
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Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
September 26th, 2019

Department of Military Affairs and Public Safety
West Virginia Department of Military Affairs and Public Safety
Jeff Sandy, Secretary
1900 Kanawha Blvd East
Building 1, W-400
Charleston, WV 25305

Dear Secretary Sandy,

Notice is hereby given that a Public Hearing will be held at the Regular Meeting of the City Council of Logan on November 12th, 2019 at 4pm in the City of Logan Building on the Home Rule Ordinance authorizing the submission of the City’s Home Rule Plan to the West Virginia Municipal Home Rule Board. Interested parties may appear at the meeting and be heard on the City’s proposed Home Rule Plan. A copy of the proposed Home Rule Plan may be inspected in the City Clerk’s Office beginning October 13th, 2019 between the hours of 1-3pm, Monday – Friday.

Legal Code for published advertisement in the legal section of the Logan Banner is:
LH79975/10-2, 9, 16-19

Thank you for your dedication to the State of West Virginia and your commitment to stronger cities and towns for our state.

Sincerely,

Serafino J. Nolletti
Mayor
President of the WV Municipal League
**Response for 2TF363/**

**NAME:** NELSON, JUDITH

**ADR:** PO BOX 301

**Lic/2TF363:** DAVIN

**Lic/2TF363**

**VMA:** FORD VM0/C-M

**Vst:** VST/4H

**Vyr:** 2017

**Ttl:** TTL/ES3658

**Tdt:** TDT/01/26/2018

**Dsp:** 0122

**Vpl:** HYBRID

**Vbr:** C-MAX TITANIUM

**Status:**

**In:** LUDPS3 NBR 02482 AT 12:08 11/13/2019

**Out:** LOGA NBR 00000 AT 12:08 11/13/2019 MRX 063581
Logan County 911
Nov 15, 2019 12:11:35 PM

Re: \-Oem\: T:le

Printed By: TCANTRELL from: CLOG

Summary:
View Message Details

**Response for C349777**

**Name/Nelson**

**Address**

**SOC/232845436**

**Sex/Race/Weight/Height**

**License/Operator/Document/Points/Valid/Expiry**

**Notes**

"**No convictions for last 2 yrs or any DUI convictions**

"**No active suspensions/revocations and DUI suspensions**"
STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, C. Jeffrey Vallet, having been duly sworn, do hereby state and affirm the following:

1. That I am the Treasurer/CPA of the City of Logan, having served from July 1, 1990 to the present; and

2. That as Treasurer, I am familiar with all of the financial affairs for the City of Logan; and

3. That I hereby certify that the City of Logan is not delinquent in, nor does it have any outstanding payments due to the State of West Virginia.

This affidavit is sworn by me and submitted this 5th day of November, 2019.

C. Jeffrey Vallet, CPA
CITY OF LOGAN
P. O. Box 807
Logan, WV 25601
cjvallet@vallettax.com

STATE OF WEST VIRGINIA
COUNTY OF LOGAN, to-wit:

I, Jonathen Morgan, a Notary Public in and for the County and State aforesaid, do hereby certify that C. Jeffrey Vallet, known and known to me, did swear to and subscribe before me the above affidavit.

Given under my hand and this 5th day of November, 2019.
My commission expires 1-28-20.

Signature

Notary Public
West Virginia State Tax Department

Statement of Good Standing

EFFECTIVE DATE: November 6, 2019

A review of tax accounts indicates that LOGAN CITY OF is in good standing as of the effective date of this document. Please note, this Statement of Good Standing expires on February 4, 2020.

The issuance of this Statement of Good Standing shall not bar any audits, investigations, assessments, refund or credits with respect to the taxpayer named above and is based only on a review of the tax returns and not on a physical audit of records.

Sincerely,

Nicole Grant, Tax Unit Supervisor
Taxpayer Services Division
November 13th, 2019

SENT VIA ELECTRONIC MAIL ONLY
TO SERAFINONOLLETTI@GMAIL.COM

The Hon. Serafino Nolletti
Mayor, City of Logan
219 Dingess Street
Logan, WV 25560

RE: Compliance with Home Rule Application

Dear Mayor Nolletti:

Please allow this correspondence to serve as the response of the undersigned regarding your request that I perform a review of the Home Rule Application the City of Logan, West Virginia, is making to ensure it is fully and legally compliant with any and all legal requirements.

After review of the Home Rule Application referenced above, the undersigned is of the opinion that upon information and belief, the said Application is fully legally compliant with the statutory requirements set forth in W.V. Code § 8-1-5(a) et seq. governing the request for Municipal Pilot Program.

Should you require any additional information and/or have any questions/concerns regarding the contents of this letter, please so advise.

Sincerely,

PARTLOW LAW OFFICES, PLLC

BY: Kendal E. Partlow, Esq.

cc: Amber Miller, Clerk for City of Logan (by email only)